



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Pye & Hogan Machine Company--Request for
Reconsideration
File: B-232432.2

Date: September 30, 1988

DIGEST

The General Accounting Office Bid Protest Regulations do not permit a piecemeal presentation of evidence, information or analysis. Where a party submits in its request for reconsideration an argument that it could have presented at the time of protest, but did not, the argument does not provide a basis for reconsideration.

DECISION

Pye & Hogan Machine Company requests that we reconsider our August 30, 1988, dismissal of its protest against the contracting officer's determination of nonresponsibility and the Small Business Administration's (SBA) subsequent refusal to issue a certificate of competency (COC).

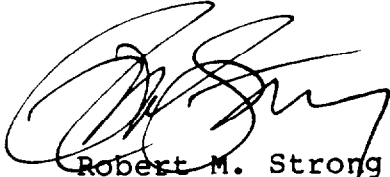
The Army and subsequently the SBA found Pye & Hogan nonresponsive because it was not in compliance with the quality requirements of the solicitation and had been issued a method "C" quality deficiency report. Pye & Hogan challenged the validity of these reasons in its protest to our Office. We dismissed the protest because our Office generally does not review such matters unless the protester can show either that government officials may have acted fraudulently or in bad faith or that SBA failed to consider vital information bearing on the firm's responsibility. Aquasciences International, Inc.--Reconsideration, B-225452.2, Feb. 5, 1987, 87-1 CPD ¶ 127. None of these exceptions were alleged by the protester.

In its request for reconsideration, Pye & Hogan argues for the first time that SBA acted in bad faith and did not consider vital information bearing on the firm's responsibility, e.g. its positive quality record on other procurements. Our Bid Protest Regulations, however, do not permit a piecemeal presentation of evidence, information or

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analysis. Where, as here, a party submits in its request for reconsideration an argument that it could have presented at the time of the protest, but did not, the argument does not provide a basis for reconsideration. Inter-Continental Equipment, Inc.--Reconsideration, B-230266.3, Apr. 6, 1988, 88-1 CPD ¶ 343.

The dismissal is affirmed.



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